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MARY MILLER, ANN MILLER,

- against -

COUNTY OF NASSAU, NASSAU COUNTY  
POLICE DEPT., RONALD SHEPIS,  
JOHN HARVEY, PAMELA PINCUS,  
KENNETH FITZGERALD, KATHLEEN M.  
RICE, HSBC BANK, FIVE TOWN NISSAN,  
NEAL BARBAGALLO, ESH DOE,  
STEVE DOE, NORTH FORK BANK,  
SPRINT/NEXTEL, KELLY DEVINE,  
PAROLE OFFICER ANTHONY DROZ,  
JOHN DOE, HSBC BANK FRAUD  
INVESTIGATOR,

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For Plaintiffs:

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Parole Officer  
Anthony Droz

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Office of the Attorney General  
120 Broadway, 24th Floor  
New York, NY 10271

SEYBERT, District Judge:

On December 12, 2007, pro se Plaintiffs Mary and Ann Miller commenced this action against various Defendants alleging that Plaintiffs' civil rights were violated during the investigation of Plaintiffs' relative, Daniel Miller.

Pending before the Court is a motion by Plaintiffs seeking permission to appear "via video conferencing," permission to file documents on the Electronic Case Filing System ("ECF"), and seeking to dismiss Defendant Anthony Droz ("Droz") from this

action. Because Plaintiffs voluntarily wish to dismiss Defendant Droz, and Droz consents to such dismissal, the Court GRANTS Plaintiffs' motion to dismiss Droz.

With regard to Plaintiffs' application to appear "in all pretrial hearings and conferences via video conferencing," Plaintiffs must make their application separately for each conference scheduled for this case.<sup>1</sup> The application must be addressed to the specific judge who has scheduled the conference. Thus, Plaintiffs' motion to appear in all conferences "via video conferencing" is DENIED without prejudice to re-filing a separate application for each individual conference scheduled in this matter.

Finally, Plaintiffs' motion for permission to file documents via ECF is GRANTED. However, the motion is granted only with respect to this case. If Plaintiffs are involved in litigation in the future, they must re-apply for permission to file documents via ECF. Further, Plaintiffs are advised that their ECF filings must comport with the Local Rules for the Eastern District of New York and this Court's Individual Motion Practices.

#### CONCLUSION

For the reasons stated above, Plaintiffs' motion to dismiss Defendant Anthony Droz is GRANTED, Plaintiffs' motion to

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<sup>1</sup> Although Plaintiffs ask to appear "via video conference," the Court presumes that Plaintiffs are referring to telephonic appearances.

appear "via video conferencing" is DENIED without prejudice, and Plaintiffs' motion for permission to file documents on ECF is GRANTED. Plaintiffs are advised that they are granted permission to file documents electronically only for the duration of this litigation, and must seek permission to utilize ECF for any future litigation.

The Clerk of the Court shall enable Plaintiffs to use their PACER account for electronic filing, and shall terminate Defendant Droz's motion to dismiss (Docket Entry # 24) as moot.

SO ORDERED.

/s/ JOANNA SEYBERT  
Joanna Seybert, U.S.D.J.

Dated: Central Islip, New York  
December 5, 2008

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/s/ JOANNA SEYBERT  
Joanna Seybert, U.S.D.J.

Dated: Central Islip, New York  
December 5, 2008